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EXAMINER	
SABOURI, MAZDA	
ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/25/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/25/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/631,844	OKUZAKO ET AL.	
	Examiner	Art Unit	
	Mazda Sabouri	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42 and 44-51* is/are rejected.

7)☒ Claim(s) *43* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-51 have been considered but are moot in view of the new ground(s) of rejection.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. **Claim 1** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.).

6. **As to claim 1**, Nagasawa teaches a portable information processing apparatus a condition detector for detecting a closed condition and an open condition of the first and second movable parts comprising:

a. A first movable part (1, fig 1A and fig 1B);

b. A second movable part (2, fig 1A and fig 1B), the first movable part and the second movable part being connected so as to be mutually angularly displaceable, from a closed condition where the movable parts are opposed to each other to an open condition where areas of the first and second movable parts opposed in the closed condition are exposed to the outside (see Nagasawa, figures 1 and 2);

c. An inner operation section (10-14, fig 2B) for entering predetermined information, the inner operation section being provided in an area of the second movable part opposed to the first movable part in a closed condition where the first and second movable parts are opposed to each other;

d. An inner display (8, fig 2B) for displaying a predetermined display content in response to predetermined information entered from the inner operation section, the inner display being provided in an area of the first movable part opposed to the second movable part in a closed condition where the first and second movable parts are opposed to each other;

e. An outer display (4, fig 1B) for displaying a predetermined display content, the outer display being provided in an area exposed to the outside, of at least one of the first movable part and second movable part in a closed condition where the first and second movable parts are opposed to each other;

f. An outer operation section (5-7, fig 1B) for entering predetermined information on the predetermined display content displayed on the outer display, the outer operation section being provided in an area other than the exposed area of at least one of the first and second movable parts whichever comes behind the outer display in a closed condition where the first and second movable parts are opposed to each other;

g. A condition detector (27, fig 6) for detecting a closed condition and an open condition of the first and second movable parts (see Nagasawa, paragraphs 32-48).

h. What is lacking is "the inner operation section is activated and the outer operation section is deactivated in case the first and second movable parts are in an open condition, and the inner operation section is deactivated and the outer operation section is activated in case the first and second movable parts are in a

closed condition". In a similar field of endeavor, Soini teaches activating the inner operation section (21-23, fig 2) and deactivating the outer operation (12, fig 1) section in case the first and second movable parts are in an open condition, and deactivating the inner operation section and activating the outer operation section in case the first and second movable parts are in a closed condition (see Soini, claims 11 and 13). Soini teaches motivation for using this teaching. Soini teaches the need to conserve power in a portable apparatus (see Soini, column 8, lines 58-60). It would have been obvious to one of ordinary skill in the arts at the time the invention was to combine the teachings of Soini into those of Nagasawa, for the reasons mentioned above.

7. **Claims 2-4 and 6**, rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.).

8. **As to claim 2**, Nagasawa teaches a portable information processing apparatus a condition detector for detecting a closed condition and an open condition of the first and second movable parts comprising:

i. A first movable part (1, fig 1A and fig 1B);

j. A second movable part (2, fig 1A and fig 1B), the first movable part and the second movable part being connected so as to be mutually angularly displaceable, from a closed condition where the movable parts are opposed to each other to an open condition where areas of the first and second movable

parts opposed in the closed condition are exposed to the outside (see Nagasawa, figures 1 and 2);

k. An inner operation section (10-14, fig 2B) for entering predetermined information, the inner operation section being provided in an area of the second movable part opposed to the first movable part in a closed condition where the first and second movable parts are opposed to each other;

l. An inner display (8, fig 2B) for displaying a predetermined display content in response to predetermined information entered from the inner operation section, the inner display being provided in an area of the first movable part opposed to the second movable part in a closed condition where the first and second movable parts are opposed to each other;

m. An outer display (4, fig 1B) for displaying a predetermined display content, the outer display being provided in an area exposed to the outside, of at least one of the first movable part and second movable part in a closed condition where the first and second movable parts are opposed to each other;

n. An outer operation section (5-7, fig 1B) for entering predetermined information on the predetermined display content displayed on the outer display, the outer operation section being provided in an area other than the exposed area of at least one of the first and second movable parts whichever comes behind the outer display in a closed condition where the first and second movable parts are opposed to each other;

o. A condition detector (27, fig 6) for detecting a closed condition and an open condition of the first and second movable parts (see Nagasawa, paragraphs 32-48).

p. What is lacking from Nagasawa is "an externally oriented imaging section provided in the exposed area". In a similar field of endeavor, Kawasaki teaches an externally oriented imaging section (22, fig 1C and fig 4B and fig 9) provided in the exposed area (see Kawasaki, paragraph 106). Kawasaki teaches motivation for having such a feature. Kawasaki teaches that "[i]n recent years mobile communication devices (reads on portable apparatus) have become increasingly multifunctional, and more recently mobile telephone devices having a CCD camera are becoming common" (see Kawasaki, paragraph 4). It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Kawasaki into those of Nagasawa, for the reasons mentioned above.

q. What is lacking from Nagasawa in view of Kawasaki is "the inner operation section is activated and the outer operation section is deactivated in case the first and second movable parts are in an open condition, and the inner operation section is deactivated and the outer operation section is activated in case the first and second movable parts are in a closed condition". In a similar field of endeavor, Soini teaches activating the inner operation section (21-23, fig 2) and deactivating the outer operation (12, fig 1) section in case the first and second movable parts are in an open condition, and deactivating the inner operation

section and activating the outer operation section in case the first and second movable parts are in a closed condition (see Soini, claims 11 and 13). Soini teaches motivation for using this teaching. Soini teaches the need to conserve power in a portable apparatus (see Soini, column 8, lines 58-60). It would have been obvious to one of ordinary skill in the arts at the time the invention was to combine the teachings of Soini into those of Nagasawa in view of Kawasaki, for the reasons mentioned above.

9. **As to claim 3**, Kawasaki further teaches a controller (10, fig 2) for causing the imaging section to shoot an image in response to predetermined information entered from one of the inner operation section and the outer operation section and displaying the image shot by the imaging section on at least one of the inner display and the outer display corresponding to one of the inner operation section and the outer operation section from which the predetermined information was entered (paragraphs 106-110).

10. **As to claim 4**, note the rejection of claim 2 (combining Kawaski's teaching of an imaging section to the portable apparatus of Nagasawa). Kawasaki further teaches an imaging section disposed (22, fig 9) on the exposed area; a controller (10, fig 2) for causing imaging section to shoot an image in response to predetermined information entered from one of the inner operation section and the outer operation section, the imaging section being provided facing the same side as the side where the display face of the outer display faces, wherein an image shot with the imaging section is displayed on at lease one of the inner display and the outer display corresponding to one of the inner operation section and the outer operation section from which the predetermined

information used to shoot an image with the imaging section was entered (see Kawasaki, paragraphs 71-75).

11. **As to claim 6**, Kawasaki further teaches that a condition detector comprises: a discrete contact section where one set of discrete contacts and another set of discrete contacts formed in the shape of comb teeth are formed in engagement while spaced from each other in a substrate face direction (16,16a Fig 1A); and a common contact section for mutually providing electric connection between the discrete contacts in a closed condition where the first and second movable parts are opposed to each other or in an open condition where the areas opposed in the closed condition are exposed to the outside (paragraphs 75,76).

12. **Claims 5** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) as applied to claim 2 above, and further in view of US 2002/0177464 (Swerup et al.).

13. **As to claims 5**, Soini further teaches an operation selector (circuitry for activating/deactivating the inner/outer operation section) (see Soini, claims 11 and 13). What is lacking is the operation selector being a key in one of the inner or outer operation sections. In a similar field of endeavor, Swerup teaches using an operation section's key as an operation selector for a portable apparatus (100, fig 1) having an inner (202, fig 2) and outer (112, fig 1) operation section (see Swerup, paragraphs 30 and 35). The teachings of Swerup allow the user to change the functionality of the operation sections by selectively pressing a key. It would have been obvious to one of

ordinary skill in the arts at the time the invention was made to combine the teachings of Swerup into those of Nagasawa in view of Kawasaki and further in view of Soini, for the reasons mentioned above.

14. **Claim 7** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) as applied to claim 3 above, and further in view of US 2003/0186708 (Parulski et al.).

15. **As to claim 7**, the Examiner notes that, the language used by the Applicant merely suggests or makes optional those features described as "capable"; such language does not require steps to be performed or limit the claim to a particular structure. Nagasawa in view of Kawasaki and further in view of Soini teaches the portable information processing apparatus of claim 3, wherein the controller sets the outer operation section to a command input function capable of inputting a command related to photographing on the outer display. What is lacking is setting it to be capable of inputting a command while displaying the image shot by the imaging section. In the same field of endeavor, Parulski teaches a similar apparatus capable of inputting a command relating to photographing, while displaying the image shot by the imaging section (Fig 9, paragraph 64) It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the input command capability so the user can control the image (e.g. zoom as taught by Parulski, paragraph 64) on the outer display.

16. **Claims 8,10-20,22-25,27 and 46** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) as applied to claims 3 and 4 above, and further in view of US 2002/0147033 (Ban et al.).

17. **As to claim 8**, what is lacking is "the controller displays a plurality of function display buttons for setting a desired function selected from among a plurality of functions related to photographing on one of the inner display and the outer display, and a plurality of function setting operation buttons corresponding to the plurality of function display buttons are respectively provided in the inner operation section and the outer operation section". In a similar field of endeavor, Ban teaches a controller (13, fig 1) that displays a plurality of function display buttons (selectable modes for taking pictures) for setting a desired function selected from among a plurality of functions related to photographing on one of the inner display (5, fig 2, note that Ban only teaches one display and one operating section. Kawasaki however teaches inner and outer displays showing information related to images taken by a user. Nagasawa teaches inner and outer operating sections corresponding to the displays) and the outer display, and a plurality of function setting operation buttons (user presses up/down arrow buttons and selects desired function) corresponding to the plurality of function display buttons that are respectively provided in the inner operation section and outer operation section (see Ban, paragraphs 28-33 and figure 3). The teachings of Ban provide the user with options that help improve the quality of images taken by a portable information processing apparatus. It would have been obvious to one of ordinary skill in the arts at

the time the invention was made to combine the teachings of Ban into those of Nagasawa in view of Kawasaki and further in view of Soini, for the reasons mentioned above.

18. **As to claim 10**, Nagasawa further teaches that the there are less buttons (the inner operation section has more buttons than outer operation section) that are accessible when the user looks at the outer display. It is therefor inherent that more functions would be available at the inner display, where more buttons are accessible to the user (see Nagasawa, paragraph 48).

19. **As to claims 11 and 12**, Ban further teaches storing the settings (modes) (see Ban, paragraphs 33 and 34).

20. **As to claims 13 and 17**, note the rejection of claim 8 (setting functions on the portable apparatus). Ban further teaches that the controller (13, fig 1) is adapted to cause the display (Ban only teaches a single display. Kawasaki however teaches an inner and outer display which shows information related to images taken by the user) to display the image and content showing a setting on the photographing (see Ban, figure 3).

21. **As to claims 14 and 18-20**, note the rejection of claim 8 (changing settings by using a function menu shown on the inner/outer display using keys on the inner/outer operation sections on the portable apparatus). Kawasaki further teaches a key (14a, fig 1A) for causing the display of the menu (see Kawasaki, paragraph 94).

22. **As to claim 15**, note the rejection of claim 8 (the inner operation section and the outer operation section have UP, DOWN, LEFT and RIGHT keys) (see Nagasawa,

figures 1B and 2B). Ban further teaches using the UP and DOWN keys to modify exposure correction settings (modes used for taking pictures) (see Ban, figure 3).

23. **As to claim 16**, Ban further teaches that the setting information can be removed from the display (see Ban, figure 3).

24. **As to claim 22**, Nagasawa further teaches that the outer operation section has UP and DOWN keys. Ban further teaches a function menu screen to choose an item by pressing at least of the UP and DOWN key (see Ban, figure 3).

25. **As to claim 23**, Nagasawa further teaches that the outer operation section (7, fig 1B) has a CENTER key (see Nagasawa, figure 1B). Nagasawa further teaches that the CENTER key is used to validate an item chosen with the curser (see Nagasawa, paragraph 34).

26. **As to claim 24**, note the rejection of claim 8 (changing settings by using a function menu shown on the inner/outer display using keys on the inner/outer operation sections on the portable apparatus). Nagasawi further teaches the outer operation section having an UP, DOWN, LEFT and RIGHT key (see Nagasawi, figure 1B). Ban further teaches that these keys are used for entering information concerning settings (see Ban, figure 3).

27. **As to claim 25**, Ban further teaches using the UP and DOWN keys to modify exposure correction settings (modes used for taking pictures) (see Ban, figure 3).

28. **As to claim 27**, Nagasawa further teaches that the outer operation section faces the same side as the side that the outer display faces (see Nagasawa, figure 1B).

29. **As to claim 46**, Nagasawa further teaches a cellular phone comprising the portable information processing apparatus (see Nagasawa, paragraph 1).

30. **Claim 9** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) and further in view of US 2003/0186708 (Parulski et al.) as applied to claim 7 above, and further in view of US 2002/0147033 (Ban et al.).

31. **As to claim 9**, what is lacking is "the controller displays a plurality of function display buttons for setting a desired function selected from among a plurality of functions related to photographing on one of the inner display and the outer display, and a plurality of function setting operation buttons corresponding to the plurality of function display buttons are respectively provided in the inner operation section and the outer operation section". In a similar field of endeavor, Ban teaches a controller (13, fig 1) that displays a plurality of function display buttons (selectable modes for taking pictures) for setting a desired function selected from among a plurality of functions related to photographing on one of the inner display (5, fig 2, note that Ban only teaches one display and one operation section. Kawasaki however teaches inner and outer displays showing information related to images taken by a user. Nagasawa teaches inner and outer operation sections corresponding to the displays) and the outer display, and a plurality of function setting operation buttons (user presses up/down arrow buttons and selects desired function) corresponding to the plurality of function display buttons that are respectively provided in the inner operation section and outer operation section (see

Ban, paragraphs 28-33 and figure 3). The teachings of Ban provide the user with options that help improve the quality of images taken by a portable information processing apparatus. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Ban into those of Nagasawa in view of Kawasaki and further in view of Heaysman, for the reasons mentioned above.

32. **Claim 21** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) and further in view of US 2002/0147033 (Ban et al.) as applied to claim 20 above, and further in view of US 2003/0186708 (Parulski et al.).

33. **As to claim 21**, note that Ban teaches displaying a function menu and displaying an image taken by the image section (see Ban, figure 3). Further note that Nagasawa teaches an outer display (4, fig 1B) and controller (22, fig 6) for controlling the display. What is lacking is the controller displaying the menu on the outer display while displaying the image on the outer display. In a similar field of endeavor, Parulski teaches displaying a function menu (512-518, fig 9) and an image (520A, fig 9) at the same time (see Parulski, figure 9). The teachings of Parulski allow the user of the portable apparatus to see the function menu and the image at the same time. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Parulski, into those of Nagasawa in view of Kawasaki and further in view of Soini and further in view of Ban, for the reasons mentioned above.

34. **Claim 26** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 6445932 (Soini et al.) and further in view of US 2002/0147033 (Ban et al.) as applied to claim 20 above, and further in view of US 2004/0166829 (Nakae et al.).

35. **As to claim 26**, Nagasawa further teaches the outer operation section having a CENTER key in the center of the UP, DOWN, LEFT and RIGHT keys (see Nagasawa, figure 1B and paragraph 34). Kawasaki further teaches memory (10b, fig 2) for storing image data (see Kawasaki, paragraph 90) and a controller (10, fig 2) storing the image data. What is lacking is storing the data when a key on the inner operation section is pressed. In a similar field of endeavor, Nakae teaches memory (34b, fig 2) for storing image data. Nakae further teaches an operating unit (36, fig 1) comprising a CENTER key (14d, fig 1). The operating unit is used to store of delete image data. The CENTER key is used to confirm selections made on the operating unit (see Nakae, paragraphs 52-56,62 and 67). The teachings of Nakae allow the user to selectively store or delete images from memory. It would have been obvious to one of ordinary skill in the arts the time the invention was made to use Nakae's teachings for the reasons mentioned above.

36. **Claims 28-32** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) as applied to claim 1 above, and further in view of US 2002/0177464 (Swerup et al.).

37. **As to claims 28**, Soini further teaches an operation selector (circuitry for activating/deactivating the inner/outer operation section) (see Soini, claims 11 and 13). What is lacking is the operation selector being a key in one of the inner or outer operation sections. In a similar field of endeavor, Swerup teaches using an operation section's key as an operation selector for a portable apparatus (100, fig 1) having an inner (202, fig 2) and outer (112, fig 1) operation section (see Swerup, paragraphs 30 and 35). The teachings of Swerup allow the user to change the functionality of the operation sections by selectively pressing a key. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Swerup into those of Nagasawa in view of Soini, for the reasons mentioned above.

38. **As to claim 29**, Soini further teaches activating the outer operation section and deactivating the inner operation section (see Soini, claims 11 and 13).

39. **As to claim 30**, Soini further teaches validating an input (detecting an actuation of a key) from the inner and/or outer operation section, and activating the inner and/or outer operation section as a result of the validation (see Soini, column 9, lines 6-53). Swerup further teaches an operation selector key for modifying a setting on the inputs to the inner and outer operation sections (see Swerup, paragraphs 30 and 35).

40. **As to claim 31**, Swerup further teaches that the operation selector key is provided in at least one of the inner (202, fig 2) or outer (112, fig 1) operations sections (see Swerup, paragraphs 30 and 35).

41. **As to claim 32**, Soini further teaches a controller (41, fig 4) for validating an input (detecting an actuation of a key) from the inner and/or outer operation section, and

activating the inner and/or outer operation section as a result of the validation (see Soini, column 9, lines 6-53). Swerup further teaches an operation selector key for modifying a setting on the inputs to the inner and outer operation sections (see Swerup, paragraphs 30 and 35).

42. **Claims 33,34,36,48 and 50** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) and further in view of US 2002/0177464 (Swerup et al.) as applied to claims 28 and 32 above, and further in view of US 2002/0142810 (Kawasaki et al.).

43. **As to claim 33**, what is lacking is an externally oriented imaging section that takes images in response to inputs from one of the inner or outer operation sections and displays images on one of the inner or outer displays. In a similar field of endeavor, Kawasaki teaches an externally oriented imaging section (22, fig 1C and fig 4B and fig 9) provided in the exposed area. Kawasaki teaches shooting and image in response to input to one of an inner or outer operations sections and displaying the images on one of an inner or outer display (see Kawasaki, paragraphs 106-110). Kawasaki teaches motivation for having such a feature. Kawasaki teaches that "[i]n recent years mobile communication devices (reads on portable apparatus) have become increasingly multifunctional, and more recently mobile telephone devices having a CCD camera are becoming common" (see Kawasaki, paragraph 4). It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Kawasaki into those of Nagasawa in view of Soini and further in view of Swerup, for the reasons mentioned above.

44. **As to claim 34**, Nagasawa in view of Kawasaki further teaches that the outer operation section and the imaging section are provided to face the same side as the side where the display face of the outer display faces, and that the outer operation section and imaging section are provided on opposite sides of the outer display (note that in the open condition, the outer operation section of Nagasawa would be atop the outer display, and the imaging section of Kawasaki would be below the display) (see Nagasawa, figures 1B and 2B and Kawasaki, figures 1A-1C).

45. **As to claim 36**, Nagasawa further teaches displaying information on the outer display in the closed state and switching the image to the inner display in the open state (see Nagasawa, paragraphs 46 and 47). Note that Kawasaki teaches that the information displayed can be images (see Kawasaki, paragraph 106).

46. **As to claim 48**, as for the externally oriented imaging section, note the teachings of Kawasaki cited in the rejection of claim 33 above. Kawasaki further teaches a controller for shooting an image in response to information entered into an operation section and displaying that image onto either an inner or outer display (see Kawasaki, paragraphs 106-110). Soini further teaches invalidating (deactivating) inputs from the inner operation section in the closed condition (see Soini, claims 11 and 13). Nagasawa further teaches that information (previously displayed on the inner display) is displayed on the outer display in the closed state (see Nagasawa, paragraphs 46 and 47).

47. **As to claim 50**, what is lacking is the outer display being smaller than the inner display, and a function menu being shown on the outer display. In a similar field of

endeavor, Kawasaki further teaches that an outer display (21, fig 1C) may be smaller than an inner display (13, fig 1A). Kawasaki further teaches a function menu shown on a display (see Kawasaki, paragraph 94). Note that Nagasawa teaches information being displayed on both the inner and outer display (see Nagasawa, paragraphs 46 and 47). It is inherent that less information would be shown on the outer display when the outer display is smaller than the inner display. The teachings of Kawasaki allow a user to adjust settings through a function menu. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Kawasaki into those of Nagasawa in view of Soini and further in view of Swerup, for the reasons mentioned above.

48. **Claims 35,44 and 45** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) and further in view of US 2002/0177464 (Swerup et al.) and further in view of US 2002/0142810 (Kawasaki et al.) as applied to claim 33 above, and further in view of US 2002/0147033 (Ban et al.).

49. **As to claim 35**, Kawasaki further teaches an operation key for displaying a menu (see Kawasaki, paragraphs 94 and 97). Note that Nagasawa teaches having an inner and outer operation section. What is lacking is displaying function menu screen for setting functions related to photographing. In a similar field of endeavor, Ban teaches a controller (13, fig 1) that displays a menu of selectable function settings (selectable modes for taking pictures) related to photographing (note that Ban only teaches one display and one operating section. Kawasaki however teaches inner and outer displays

showing information related to images taken by a user. Nagasawa teaches inner and outer operating sections corresponding to the displays) (see Ban, paragraphs 28-33 and figure 3). The teachings of Ban provide the user with options that help improve the quality of images taken by a portable information processing apparatus. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Ban into those of Nagasawa in view of Kawasaki and further in view of Soini, for the reasons mentioned above.

50. **As to claims 44 and 45**, Nagasawa further teaches that the outer operation section has an UP and DOWN key. Nagasawa further teaches using the UP/DOWN keys to move a cursor displayed on the function menu screen to choose an item. Nagasawa further teaches a CENTER key for selecting and item (see Nagasawa, paragraph 34).

51. **Claims 37-42** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) and further in view of US 2002/0177464 (Swerup et al.) and further in view of US 2002/0142810 (Kawasaki et al.) as applied to claim 33 above, and further in view of US 2004/0166829 (Nakae et al.).

52. **As to claim 37**, Nagasawa further teaches the inner operation section having a CENTER key in the center of the UP, DOWN, LEFT and RIGHT keys (see Nagasawa, figure 2B and paragraph 37). Kawasaki further teaches memory (10b, fig 2) for storing image data (see Kawasaki, paragraph 90) and a controller (10, fig 2) storing the image data. What is lacking is storing the data when a key on the inner operation section is

pressed. In a similar field of endeavor, Nakae teaches memory (34b, fig 2) for storing image data. Nakae further teaches an operating unit (36, fig 1) comprising a CENTER key (14d, fig 1). The operating unit is used to store of delete image data. The CENTER key is used to confirm selections made on the operating unit (see Nakae, paragraphs 52-56,62 and 67). The teachings of Nakae allow the user to selectively store or delete images from memory. It would have been obvious to one of ordinary skill in the arts the time the invention was made to use Nakae's teachings for the reasons mentioned above.

53. **As to claim 38**, the CENTER key of Nagasawa in view of Nakae reads on a shutter key. Note that Nagasawa teaches that the CENTER key is located in both the inner and outer operation sections (see Nagasawa, figures 1B and 2B).

54. **As to claim 39**, Nagasawa further teaches the outer operation section having a CENTER key in the center of the UP, DOWN, LEFT and RIGHT keys (see Nagasawa, figure 1B and paragraph 34). Kawasaki further teaches memory (10b, fig 2) for storing image data (see Kawasaki, paragraph 90) and a controller (10, fig 2) storing the image data. What is lacking is storing the data when a key on the inner operation section is pressed. In a similar field of endeavor, Nakae teaches memory (34b, fig 2) for storing image data. Nakae further teaches an operating unit (36, fig 1) comprising a CENTER key (14d, fig 1). The operating unit is used to store of delete image data. The CENTER key is used to confirm selections made on the operating unit (see Nakae, paragraphs 52-56,62 and 67). The teachings of Nakae allow the user to selectively store or delete images from memory. It would have been obvious to one of ordinary skill in the arts the

time the invention was made to use Nakae's teachings for the reasons mentioned above.

55. **As to claim 40**, the CENTER key of Nagasawa in view of Nakae reads on a shutter key. Note that Nagasawa teaches that the CENTER key is located in both the inner and outer operation sections (see Nagasawa, figures 1B and 2B).

56. **As to claim 41**, Kawasaki further teaches the display displaying a description of the operation key (menu showing options that may be selected) of the operation section (see Kawasaki, paragraphs 94 and 97). Nagasawa further teaches that the operation keys (7, fig 1B) can be located on the outer operation section and information displayed on the outer display (4, fig 1B).

57. **As to claim 42**, Nagasawa in view of Kawasaki further teaches that the outer operation section and the imaging section are provided to face the same side as the side where the display face of the outer display faces (see Nagasawa, figures 1B and 2B and Kawasaki, figures 1A-1C). Kawasaki further teaches an operation key description area (menu) showing the description of the operation key in the display (see Kawasaki, paragraphs 94 and 97).

58. **Claims 47 and 49** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) and further in view of US 2002/0177464 (Swerup et al.) as applied to claims 28 and 32 above, and further in view of US 2002/0142810 (Kawasaki et al.) and further in view of US 2002/0147033 (Ban et al.).

59. **As to claim 47**, Nagasawa further teaches a condition detector for detecting a closed condition (see Nagasawa, paragraph 35). As for the externally oriented imaging section, note the teachings of Kawasaki cited in the rejection of claim 33 above. Kawasaki further teaches a controller for shooting an image in response to information entered into an operation section and displaying that image onto either an inner or outer display (see Kawasaki, paragraphs 106-110). Nagasawa further teaches that information is displayed on the outer display in the closed state (see Nagasawa, paragraphs 46 and 47). What is lacking is displaying and image and setting information (a menu) on a display. In a similar field of endeavor, Ban teaches displaying an image shot and content showing a setting (menu of modes used to take pictures) on a current photographing on a display (see Ban, paragraphs 28-33 and figure 3). The teachings of Ban provide the user with options that help improve the quality of images taken by a portable information processing apparatus. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Ban into those of Nagasawa in view of Kawasaki and further in view of Soini, for the reasons mentioned above.

60. **As to claim 49**, as for the externally oriented imaging section, note the teachings of Kawasaki cited in the rejection of claim 33 above. Kawasaki further teaches a controller for shooting an image in response to information entered into an operation section and displaying that image onto either an inner or outer display (see Kawasaki, paragraphs 106-110). Soini further teaches invalidating (deactivating) inputs from the inner operation section in the closed condition (see Soini, claims 11 and 13).

Nagasawa further teaches that information (previously displayed on the inner display) is displayed on the outer display in the closed state (see Nagasawa, paragraphs 46 and 47). What is lacking is displaying and image and setting information (a menu) on a display. In a similar field of endeavor, Ban teaches displaying an image shot and content showing a setting (menu of modes used to take pictures) on a current photographing on a display (see Ban, paragraphs 28-33 and figure 3). The teachings of Ban provide the user with options that help improve the quality of images taken by a portable information processing apparatus. It would have been obvious to one of ordinary skill in the arts at the time the invention was made to combine the teachings of Ban into those of Nagasawa in view of Kawasaki and further in view of Soini, for the reasons mentioned above.

61. **Claim 51** rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0077386 (Nagasawa et al.) in view of US 6445932 (Soini et al.) and further in view of US 2002/0177464 (Swerup et al.) as applied to claim 32 above, and further in view of US 6246888 (Tsuchiyama).

62. **As to claim 51**, Nagasawa further teaches that the outer display is an LCD (backlight is inherent to LCDs) (see Nagasawa, paragraph 34). What is lacking is the controller turning off the backlight after a predetermined time. In a similar field of endeavor, Tsuchiyama teaches a controller turning off a display after a predetermined time (see Tsuchiyama, Abstract). Tsuchiyama teaches motivation for using this teaching. Tsuchiyama teaches the need to conserve battery power in a portable apparatus (see Tsuchiyama, column 1, lines 46-60). It would have been obvious to one

of ordinary skill in the arts at the time the invention was made to combine the teachings of Tsuchiyama into those of Nagasawa in view of Soini and further in view of Swerup, for the reasons mentioned above.

Allowable Subject Matter

63. **Claim 43** objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

64. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6587675 (Riddiford) teaches a hand held computer and communication apparatus. US 6259932 (Constein) teaches a hand held telephone with computer module.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mazda Sabouri whose telephone number is 571-272-8892. The examiner can normally be reached on Monday-Friday from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 561-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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